

REMARKS

The present application is being prosecuted in accordance with the Accelerated Prosecution Procedure required by MPEP §708.02, VIII.

Applicant's attorney wishes to express his appreciation to Examiner Gelin for his constructive comments during the telephonic interview conducted Tuesday, August 9, 2005. As suggested during the interview, each of independent claims 1, 46 and 47 has been amended to bring out that the results produced from live event spectator answers are announced at the live event venue. It was agreed during the interview that the references cited in the January 13, 2005 Office Action do not disclose or suggest the subject matter defined by claims 1-73, as amended.

In addition, to expedite prosecution of this application, enclosed herewith is a Terminal Disclaimer in the form required by 37 CFR 1.321 (b), disclaiming the terminal part of any patent on the above-identified application which would extend beyond the expiration date of commonly owned US Patents Nos. 6,434,398 and 6,650,903. The Terminal Disclaimer includes a statement by the attorney of record that the evidentiary documents have been reviewed and certifying that, to the best of his knowledge and belief, title is in the Petitioner seeking to take action. As such, the Terminal Disclaimer is submitted to be in compliance with 37 CFR 3.73 (b), and is in the proper form required by 37 CFR 1.321. In view of the same, it is submitted that claims 1-73 should not be subject to rejection based on obviousness-type double patenting with either of U.S. Patent 6,434,398 and U.S. Patent 6,650,903.

In view of the amendment to claims 1, 46, and 47, the Terminal Disclaimer submitted herewith, and the remarks set forth above and discussed in detail during the telephonic interview, it is submitted that the present application has been placed in allowable condition. Reconsideration of

claims 1-73, as amended, and allowance of this application are, therefore, earnestly solicited.

Respectfully submitted,

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